# House File 21 - Introduced

HOUSE FILE 21
BY HUNTER

# A BILL FOR

- 1 An Act requiring the consideration of project labor agreements
- 2 for state construction projects.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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- 1 Section 1. NEW SECTION. 72.6 Project labor agreements.
- 2 l. For the purposes of this section:
- 3 a. "Labor organization" means an area or state building
- 4 and construction trades or crafts council, organization, or
- 5 association or a comparable body.
- 6 b. "Large-scale construction project" means the
- 7 construction, rehabilitation, alteration, conversion,
- 8 extension, repair, or improvement of a vertical public works
- 9 project, including a building and other real property-related
- 10 project, where the total project cost is twenty-five million
- 11 dollars or more.
- 12 c. "Project labor agreement" means a comprehensive pre-hire
- 13 collective bargaining agreement that is negotiated between
- 14 a project's owner and an appropriate labor organization and
- 15 which sets out the basic terms and working conditions for that
- 16 particular project.
- 17 2. A state agency shall consider using a project labor
- 18 agreement in connection with a large-scale construction project
- 19 which meets the criteria established in this section.
- 20 3. In awarding a contract involving labor in connection
- 21 with a large-scale construction project, or in obligating
- 22 funds pursuant to such a contract, a state agency, on a
- 23 project-by-project basis, may require the use of a project
- 24 labor agreement where the use will advance the state's
- 25 interest. In making the decision whether to use a project
- 26 labor agreement, the state agency shall consider the following
- 27 factors:
- 28 a. The potential for a labor disruption, such as a strike,
- 29 lockout, or slowdown, which could affect the timely completion
- 30 of the project.
- 31 b. The number of trades and crafts anticipated to be used
- 32 on the project.
- 33 c. The need and urgency of the project and the harm to the
- 34 public if the completion of the project is delayed.
- 35 d. The size and complexity of the project and the time

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- 1 needed for its completion.
- 2 e. The benefits to the public from the use of a project
- 3 labor agreement relative to a project's cost, efficiency,
- 4 quality, safety, and timeliness of completion.
- 5 f. The ability to ensure compliance with all applicable
- 6 state laws and rules governing safety and health, equal
- 7 employment opportunity, labor, and employment standards.
- 8 4. If a state agency determines that the use of a project
- 9 labor agreement will advance the state's interest, the state
- 10 agency may require that every contractor or subcontractor
- 11 on the project agree, for that project, to negotiate or
- 12 become a party to a project labor agreement with one or more
- 13 appropriate labor organizations. The decision to use a project
- 14 labor agreement shall be supported by written findings by
- 15 the affected state agency which demonstrate how the use of a
- 16 project labor agreement will benefit the state's interest,
- 17 particularly with respect to the factors enumerated in section 18 3.
- 19 5. A project labor agreement reached pursuant to this
- 20 section shall do all of the following:
- 21 a. Bind all contractors and subcontractors on the
- 22 large-scale construction project through the inclusion of
- 23 appropriate specifications in all relevant solicitation
- 24 provisions and contract documents.
- 25 b. Allow all contractors and subcontractors to compete for
- 26 contracts and subcontracts without regard to whether they are
- 27 otherwise parties to collective bargaining agreements.
- 28 c. Contain quarantees against strikes, lockouts, and similar
- 29 job disruptions.
- 30 d. Set forth effective, prompt, and mutually binding
- 31 procedures for resolving labor disputes arising during the term
- 32 of the project labor agreement.
- 33 e. Provide other mechanisms for labor-management cooperation
- 34 on matters of mutual interest and concern, including but not
- 35 limited to productivity, quality of work, safety, and health.

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- 1 f. Fully conform to all applicable state statutes and rules.
- This section shall not be construed to preclude the
- 3 use of a project labor agreement on any construction project
- 4 not otherwise subject to this section. This section shall
- 5 not be construed to require a contractor or subcontractor to
- 6 enter into a project labor agreement with any particular labor
- 7 organization.
- 8 EXPLANATION
- 9 This bill relates to project labor agreements for state 10 construction projects.
- 11 The bill includes definitions relating to project labor
- 12 agreements. The bill requires a state agency to consider
- 13 using a project labor agreement for a large-scale construction
- 14 project. The bill defines a "large-scale construction project"
- 15 as the construction, rehabilitation, alteration, conversion,
- 16 extension, repair, or improvement of a vertical public works
- 17 project, including a building and other real property-related
- 18 project, where the total project cost is \$25 million or more.
- 19 The bill provides that a state agency may require the use of a
- 20 project labor agreement where the use will advance the state's
- 21 interest. The bill sets out certain factors for making such
- 22 a decision. The bill delineates the effects of a project
- 23 labor agreement. The bill specifies that the bill should not
- 24 be construed to preclude a state agency from using a project
- 25 labor agreement for any construction project not otherwise
- 26 covered by the bill. The bill specifies that the bill should
- 27 not be construed to require a contractor or subcontractor to
- 28 enter into a project labor agreement with any particular labor
- 29 organization.